

September 21, 2012

Ms. Amanda Crawford, Chief  
Office of the Attorney General  
Open Records Division  
P.O. Box 12548  
Austin, Texas 78711-2548

Re: Proprietary Information of Vanguard Defense Industries in Public Information Request  
from Brandon Wieber to the Texas Engineering Experiment Station (TEES 12-018)  
Correspondence ID 470011

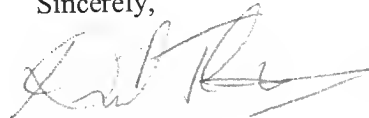
Dear Ms. Crawford:

On September 10, 2012, my client Vanguard Defense Industries, LLC ("VDI") received notice from the Office of General Counsel at The Texas A&M University System that the Texas A&M Engineering Experiment Station ("TEES") had received a formal public information request from Brandon Wieber, and that TEES had submitted a request for a decision regarding Mr. Wieber's request to your office on August 30, 2012. The General Counsel's notice advised VDI of its right to object to the release of the records requested by Mr. Wieber.

VDI objects to the release of the records requested of TEES by Mr. Wieber on the grounds that those records constitute proprietary and confidential trade secrets and other commercial information of VDI. Tex. Gov't Code § 552.110 creates an exception to the required release of information requested by Mr. Wieber if that information forms a trade secret or commercial information. The existence itself of agreements between VDI and TEES is a trade secret of VDI, and disclosure of any agreements and their contents would cause substantial competitive harm to VDI in its commercial marketplace. In addition, the disclosure of the location of VDI's flight and testing facilities in those agreements constitutes commercial information that is proprietary and confidential to VDI. For these reasons, the information requested by Mr. Wieber should be exempted from release under Tex. Gov't Code § 552.110.

VDI reserves the right to supplement this letter brief at a later time, if allowed by law, with further arguments and examples of trade secrets and other proprietary information. In addition, VDI objects to the future release of any information relating to its agreements with TEES, whether already provided or provided in the future. A copy of this communication is being provided to Brandon Wieber under Tex. Gov't Code § 552.305(e).

Sincerely,



David Thaxton

cc: Brandon Wieber  
MuckRock News  
DEPT MR 1748  
PO Box 55819  
Boston, MA 02205-5819

819 Crossbridge Drive

Spring, Texas 77373

Phone: 281-367-2222

Fax: 281-681-2330

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